

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

RLI INSURANCE CO.,

Plaintiff

v.

FIFTH THIRD BANKCORP,

Defendant.

Case No. 1:14-cv-802

Black, J.  
Bowman, M.J.

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FIFTH THIRD BANCORP, et al.,

Plaintiffs,

v.

CERTAIN UNDERWRITERS AT LLOYD'S, et al.,

Defendants.

Case No. 1:14-cv-869

Black, J.  
Bowman, M.J.

**AMENDED CALENDAR ORDER**

This matter was before the court for a telephone conference to discuss the current state of the calendar. The current discovery deadline is May 15, 2017. Based upon discussions with the Court, the Court hereby amends the calendar order as follows:

**Written Discovery:** Written discovery is closed. No additional interrogatories or request for production may be served. This provision shall not inhibit the right of any party to enforce existing interrogatories or request for production, impact a party's obligation to supplement existing responses to request for production or answers to

interrogatories, or impact a party's right to compel responses to existing request for production or interrogatories.

**Oral Fact Discovery:** Oral fact discovery shall be extended from May 15 and shall close 45 days from any final decision on the motion to compel production of documents from Fifth Third (Doc. 116) and Fifth Third's motion for protective order (Doc. 122) which the undersigned issued an order addressing on May 9, 2017 (Doc. 134).

This extension is expressly conditioned as follows:

- (1) All parties shall, by June 15, 2017, identify in writing any additional depositions to be taken after June 15<sup>th</sup>;
- (2) No party shall be allowed to conduct any deposition not identified prior to June 15, 2017, unless the identity of the witness, subject matter of the deposition or the basis for the deposition is first disclosed in documents produced or depositions taken after June 15<sup>th</sup>.

**Motion to Compel:** All motions to compel discovery shall be filed by June 22 and briefed on an expedited basis – with response briefs filed within 14 days and reply briefs filed 7 days thereafter. Any issues that arise out of or after the issuance of this Court's order of May 9, 2017 (Doc. 134) are excluded from this deadline.

**Summary Judgment Deadline:** The deadline for motions for summary judgment shall be extended. All motions for summary judgment shall be due no later than 52 days from any final decision on the motion to compel production of documents from Fifth Third (Doc. 116) and Fifth Third's motion for protective order (Doc. 122) which the undersigned issued an order addressing on May 9, 2017 (Doc. 134).

**Extension of Stay on Bad Faith Discovery:** The stay pertaining to Fifth Third's bad faith allegation shall remain in effect until the deadline for filing motions for summary judgment.

**Kelley/Klein Expert Deposition:** The extension of discovery will apply to the deposition of Mr. Kelley and Mr. Klein, and any supplementation permitted under the Court's order on RLI's motion to strike.

**Trial Date:** The trial date is currently set for October 23, 2017. Although the undersigned finds it highly unlikely that this matter will be ready for trial by the current trial date. At this time, the trial date will remain as set by Judge Black.

**IT IS SO ORDERED.**

s/ Stephanie K. Bowman  
Stephanie K. Bowman  
United States Magistrate Judge